

**REMARKS**

**I. Status of the Claims:**

Claims 1-10 were pending in this application prior to this submission. All of pending claims 1-10 were rejected by the Examiner in the previous non-final Office Action.

By this Amendment, claims 1-4 and 6-7 have been amended. No new matter has been introduced, and thus, entry and consideration of this Amendment are respectfully requested.

**II. Response to 35 U.S.C. §103 Rejections:**

Claims 1 and 4 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 6,002,145 to Niisoe (hereafter “Niisoe”) in view of U.S. 6,791,615 to Shiomi et al. (hereafter “Shiomi”). Claim 2 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Niisoe in view of Shiomi as applied to claim 1, and in further view of U.S. 6,771,814 to Nakajima (hereafter “Nakajima”). Claim 3 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Niisoe in view of Shiomi as applied to claim 1, and in further view of U.S. 6,075,905 to Herman et al. (hereafter “Herman”). Claim 5 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Niisoe in view of Shiomi as applied to claim 1, and in further view of U.S. 7,072,509 to Hunter et al. (hereafter “Hunter”). Claims 6 and 7 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Niisoe in view of Shiomi as applied to claim 1, and in further view of Hunter as applied to claim 5. Claims 8, 9, and 10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Niisoe in view of Shiomi as applied to claim 1, and in further view of Nakajima, and in further view of Hunter as applied to claim 6, and in further view of U.S. 2002/0039489 to Matsuda (hereafter “Matsuda”). More specifically, the Examiner alleges that each and every limitation of pending claims 1-10 is rendered obvious by various combinations of the Niisoe, Shiomi, Herman, Hunter and Matsuda references.

Applicants respectfully request reconsideration of the instant application in view of the claim amendments now presented herein. Applicants assert that the pending claims, as amended, are distinguishable from the above cited references, taken alone or in combination.

The Shiomi reference functions based on the premise that pixel signals are read out simultaneously via a plurality of channels (i.e., Abstract, Field of the Invention, and Fig. 2). Therefore, Shiomi specifically discloses that a signal output via CDS/AGC 4 and A/D 6 and a

signal output via CDS/AGC 5 and A/D 7 are compared. However, Shiomi does not disclose that signals output via the same channel are compared as recited in the pending claims, as amended.

Therefore, Shiomi does not disclose at least the feature of the present invention wherein the correction device multiplies the correction value to the pixel signal output from the image sensing element so that the level difference between the pixel signals read out from the first light receiving area and the second light receiving area via the same channel is canceled.

Applicants further believe that at least this limitation is neither recited nor implied by any of the Niisoe, Herman, Hunter and Matsuda references, and as a result, the deficiencies discussed above with respect to the Shiomi reference cannot be remedied by the other references.

In view of the above, Applicants respectfully assert that at least independent claims 1 and 6 are distinguishable from the cited references, taken alone or in combination, and therefore request that the 35 U.S.C. §103(a) rejection to pending claims 1-10 now be withdrawn.

**CONCLUSION**

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

**AUTHORIZATION**


The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-5154.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-5154.

Respectfully submitted,  
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